

INTRODUCED BY SENATOR INMAN,

JANUARY 19, 1917.

---

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

---

---

## AN ACT

AUTHORIZING AND REGULATING THE PRACTICE OF CHIROPRACTIC IN THE STATE OF CALIFORNIA; CREATING A STATE BOARD OF CHIROPRACTIC EXAMINERS; PROVIDING FOR THE APPOINTMENT OF THE SAME; DEFINING ITS POWERS, DUTIES AND EMOLUMENTS; TO PROVIDE A STANDARD OF EDUCATION FOR CHIROPRACTORS; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ACT; TO PROVIDE FOR THE EXAMINATION AND LICENSING OF CHIROPRACTORS IN THE STATE OF CALIFORNIA, AND TO REPEAL ANY OR ALL PARTS OF ANY ACT OR ACTS IN CONFLICT WITH THIS ACT.

*The people of the State of California do enact as follows:*

- 1        SECTION 1. A board is hereby created and established to be
- 2        known as the board of chiropractic examiners of the State of
- 3        California. Said board shall be composed of six persons who
- 4        are graduates of and hold diplomas issued to them by a legally
- 5        chartered school or college of chiropractic, after having taken
- 6        the residence course therein, which said school or college shall
- 7        have had, at the time of the issuance of said diploma, a resi-
- 8        dence course of at least one school year of not less than eight
- 9        months, and each of said persons shall present to the governor
- 10      satisfactory evidence of good moral character and integrity,

1 and shall have been a citizen of and practicing chiropractic in  
2 the State of California for a period of not less than two years  
3 next preceding the date of the going into effect of this act. No  
4 person, who holds a diploma issued to him by any school or  
5 college of any science or profession, which said science or pro-  
6 fession is other than chiropractic and has particularly to do  
7 with the health of human beings, shall be eligible to appoint-  
8 ment on said board; and appointments shall be so made that no  
9 more than two persons shall serve simultaneously as members  
10 of said board, whose first diplomas were issued by the same  
11 school or college of chiropractic.

12 SEC. 2. The governor of the State of California shall, on or  
13 before the first Tuesday in September, one thousand nine hun-  
14 dred seventeen, appoint six chiropractors who shall possess the  
15 qualities and qualifications as specified and set forth in section  
16 one of this act, to constitute the membership of said state  
17 board of chiropractic examiners; tenure in office of said mem-  
18 bers shall be so arranged as to time that two shall serve one  
19 year, two shall serve two years and two shall serve the full  
20 term of three years. Annually thereafter, or as there may be  
21 vacancies on said board, the governor shall appoint members  
22 who shall be selected from among those licensed under and by  
23 virtue of this act, and who shall possess the qualities and  
24 qualifications as specified and set forth in section one of this  
25 act. No person in any manner owning any interest in any  
26 school, college or institution engaged in chiropractic instruc-  
27 tion shall be appointed to said board. The governor shall have  
28 the power, and upon the presentation of sufficient evidence to  
29 substantiate the charge, shall remove any member of the board  
30 for neglect of duty, incompetency, continued refusal or failure  
31 to act in his official capacity on said board, or for unprofes-  
32 sional conduct. Each appointee shall, before entering upon  
33 the duties of his office, take the constitutional oath of office.  
34 A license to practice chiropractic within the State of Cali-  
35 fornia shall be issued to the individual members of said first  
36 board at the first meeting of said board herein provided, upon  
37 the payment of the regular fee as provided for in this act.

1 SEC. 3. Within thirty days after their appointment, and  
2 annually thereafter, said board of examiners shall convene and  
3 elect from its members a president, secretary and treasurer.  
4 Said board shall meet, for the examination of applicants for  
5 license to practice chiropractic, on or before the first Tuesday  
6 in April of each year, in the city of Los Angeles and on or  
7 before the first Tuesday in October of each year in the city of  
8 San Francisco; *provided, however,* that additional or adjourned  
9 meetings may, at the discretion of the board, be held at any  
10 county seat in the state. Notice of each regular or special meet-  
11 ing shall be given twice each week for two weeks next preced-  
12 ing each such meeting in one daily newspaper published in the  
13 city of San Francisco, one published in the city of Sacramento,  
14 one published in the city of Los Angeles and one published in  
15 the city of San Diego, which notices shall specify the time and  
16 place of meeting for the examination of applicants. The board  
17 shall receive, through its secretary, applications to practice  
18 chiropractic to be issued as provided in this act; and shall, on  
19 or before the first day of January of each year transmit to the  
20 governor of the State of California, a full report of all of its  
21 proceedings, together with a report of its receipts and disburse-  
22 ments for the year next preceding such report. The board  
23 shall, on or before the first day of January of each year, com-  
24 pile a complete directory giving the names and addresses of all  
25 persons who hold unrevoked licenses to practice chiropractic  
26 in this state, said license having been issued under and by  
27 virtue of this act. Said directory shall contain in addition to  
28 the names and addresses of said persons, the names and symbols  
29 indicating the titles or degrees, and the names of the schools or  
30 colleges having conferred such degrees or titles upon each of  
31 said persons, and the date of issuance, by the board, of said  
32 license. It shall be the duty of any person holding license  
33 under this act, to report immediately each change of address,  
34 giving both the old and new address.

35 SEC. 4. The office of the board shall be in the city of Sacra-  
36 mento. Suboffices may be established in Los Angeles and San

1 Francisco, and such records as may be necessary may be transferred temporarily to such suboffices. Legal proceedings  
2 against the board may be instituted in any one of said three cities.

5 SEC. 5. The board shall adopt a seal, which shall be affixed  
6 to all licenses issued by it, and may from time to time adopt  
7 such rules as may be necessary to enable said board to carry  
8 into effect the provisions of this act. It shall require the  
9 affirmative vote of three members of said board to carry any  
10 motion or resolution, to adopt any rule, to pass any measure,  
11 or to authorize the issuance of any certificate provided for in  
12 this act. The board shall issue a certificate to any applicant  
13 who shall fulfill the requirements of this act. Any member  
14 of the board may administer oaths in any matter pertaining  
15 to the duties of the board, and the board shall have authority to  
16 take evidence in any matter cognizable by it. The board shall  
17 keep a record of all its proceedings, a part of which record  
18 shall consist of a register of all applications for license to  
19 practice chiropractic, and the action of the board upon each  
20 such application.

21 SEC. 6. The board is authorized to prosecute all persons  
22 guilty of violation of this act, and shall have power to employ  
23 legal counsel for such purposes, and shall employ such clerical  
24 assistance as it may deem necessary. The board shall fix the  
25 salary of the secretary not to exceed the sum of one thousand  
26 two hundred dollars per annum, and the sum to be paid to  
27 other members of the board not to exceed ten dollars per diem  
28 each, for each day of actual service in the discharge of official  
29 duties of said board, and the board may at its discretion add  
30 to said sum necessary traveling expenses of members to and  
31 from the place of the meeting of the board.

32 SEC. 7. All fees collected on behalf of the state board of  
33 chiropractic examiners of California, and the receipts of all  
34 funds shall be reported at the beginning of each month for the  
35 month preceding to the state controller, and at the same time  
36 the entire amount of such collections shall be paid into the  
37 treasury of the state and shall be credited to a fund to be known

1 as the state board of chiropractic examiners' contingent fund,  
2 which fund is hereby created. Said contingent fund shall be  
3 for the use of the state board of chiropractic examiners, and  
4 from it shall be paid all salaries and other expenses necessarily  
5 incurred in carrying into effect the provisions of this act. An  
6 amount not to exceed one thousand dollars may be drawn from  
7 the contingent fund herein created, said amount to be used as  
8 a revolving fund where cash advances are necessary. All  
9 expenditures from said revolving fund shall be substantiated  
10 by vouchers and itemized statements at the end of each fiscal  
11 year or at any time when demand therefor is made by the board  
12 of control.

13 SEC. 8. Every applicant for a license to practice chiropractic  
14 shall pay to the secretary of the board a fee of twenty-five  
15 dollars, which shall be paid to the treasurer of the board  
16 by the secretary thereof. In case the applicant's credentials  
17 are insufficient, or in case he does not take the examination,  
18 the sum of fifteen dollars shall be returned to said applicant.

19 SEC. 9. One form of certificate shall be issued by the board  
20 of chiropractic examiners of the State of California, which said  
21 certificate shall be designated "license to practice chiropractic"  
22 and shall authorize the holder thereof to practice chiropractic  
23 in the State of California; provided, however, that said certifi-  
24 cate shall not authorize the holder thereof to administer any  
25 drug or drugs, or what are known as medicinal preparations,  
26 to, or in any manner penetrate or sever the tissues of human  
27 beings, or to practice obstetrics.

28 SEC. 10. Every applicant for license must file with the  
29 board at least two weeks prior to the regular or special meeting  
30 thereof, satisfactory evidence of good moral character, and  
31 every applicant must show that he has attended two courses of  
32 study, each such course to have been of not less than thirty-  
33 two weeks duration and not less than one thousand two hundred  
34 hours for each of such courses, or a total time of not less than  
35 sixty-four weeks and two thousand four hundred hours; pro-  
36 vided, however, that said courses shall not necessarily have

1 been pursued continuously or consecutively. Every application  
2 shall be made upon a form furnished by the board, which  
3 form shall contain such information concerning the instruction  
4 and the preliminary education of the applicant as this act  
5 provides; *provided, however,* that nothing in this section  
6 shall be construed as to apply to applicants for examination  
7 as set forth in section eighteen of this act. In addition to the  
8 requirements hereinbefore provided, on or after the first day of  
9 September, one thousand nine hundred twenty-one, every  
10 applicant for a license as herein provided, shall present to the  
11 board satisfactory evidence that he is a high school graduate  
12 or the equivalent thereof. Every applicant shall make affidavit,  
13 stating that each and every statement made in, and all  
14 entries made upon, the application presented by him to said  
15 board, are correct and true.

16 SEC. 11. Applicants for certificates under this act, except  
17 as hereinafter provided and set forth in section eighteen of  
18 this act, shall file satisfactory evidence of having pursued in a  
19 legally chartered school or college of chiropractic the residence  
20 course consisting of the following minimum requirements,  
21 to wit:

22 Group 1—700 hours:

23 Anatomy -----	600 hours
24 Histology -----	100 hours

25 Group 2—450 hours:

26 Physiology -----	350 hours
27 Chemistry and Toxicology -----	100 hours

28 Group 3—310 hours:

29 Pathology -----	240 hours
30 Bacteriology -----	70 hours

31 Group 4—440 hours:

32 Diagnosis -----	350 hours
33 Hygiene and Sanitation -----	90 hours

34 Group 5—500 hours:

35 Theory -----	500 hours
36 Practice -----	
37 Technic -----	

38 Total ----- 2,400 hours

1 In the course of study as herein outlined, the hours specified  
2 shall be actual work in the classroom, laboratory, clinic or  
3 hospital, and at least eighty per cent of actual attendance shall  
4 be required; *provided, however,* that the hours herein required  
5 in any one subject need not exceed seventy-five per cent of the  
6 number specified, but that the total number of hours in all  
7 subjects of each group shall not be less than the total number  
8 specified for such group.

9 SEC. 12. Applicants for certificate of license, as provided  
10 for in this act, except as is set forth in section eighteen hereof,  
11 shall pass an examination in the subjects, specified in section  
12 eleven of this act. All examinations shall be practical in  
13 character and shall be according to the teachings of chiro-  
14 practic, and designed to ascertain the fitness of the applicant  
15 to practice chiropractic; and shall be conducted in the English  
16 language, and at least a portion of the examination in each  
17 subject shall be in writing. There shall be at least ten ques-  
18 tions on each subject, the answers to which shall be marked  
19 on a scale of zero to ten on each question. Each applicant  
20 shall obtain no less than a general average of seventy-five per  
21 cent, and not less than sixty per cent on any two subjects;  
22 *provided,* that any applicant shall be granted a credit of one  
23 per cent upon the general average for each year of actual  
24 practice since graduation. The examination papers shall form  
25 a part of the records of the board and shall be kept on file by  
26 the secretary for a period of one year after each examination.  
27 In said examination the applicant shall be known and desig-  
28 nated by number only, said number to be assigned by the secre-  
29 tary of the board, and the name attached to the number shall  
30 be kept secret until after the board has finally voted upon the  
31 application. The secretary of the board shall in no instance  
32 participate as an examiner in any examination held by the  
33 board, nor vote upon any application for a certificate of  
34 license. All questions on all subjects in which examination  
35 is required under this act shall be provided by the board upon  
36 the morning of the day upon which examinations are given in  
37 said subjects; and when it shall be shown that the secretary

1 or any member of the board has in any manner given any  
2 information, in advance or during examination, to any applicant  
3 it shall be the duty of the governor to remove such person  
4 from the board of examiners or from the office of secretary.

5 SEC. 13. Said board shall revoke the certificate of license  
6 issued under this act to any person guilty of unprofessional  
7 conduct. Said board shall adopt rules of practice and pro-  
8 cedure pursuant and under and by virtue of the laws of the  
9 State of California, by which any person charged with unpro-  
10 fessional conduct may be tried. In every instance where a  
11 person is charged with unprofessional conduct, such person,  
12 before suspension or revocation of his license, shall be cited to  
13 appear and be given an opportunity to defend himself by  
14 counsel or otherwise in said trial by said board. In the event  
15 the certificate of license of any person is revoked or suspended,  
16 the secretary shall enter upon the register the fact of such  
17 suspension or revocation, under the seal of the board, to the  
18 county clerk of the county or counties in which the certificate  
19 of the person whose certificate has been revoked is recorded at  
20 the time of such revocation. The words "unprofessional con-  
21 duct" as used in this act, are hereby declared to mean:

22 *First*—The procuring or aiding or abetting in the procuring  
23 of a criminal abortion.

24 *Second*—The wilfully betraying of a professional secret.

25 *Third*—All advertising which is intended to or has a  
26 tendency to deceive the public or impose upon credulous or  
27 ignorant persons, and so be harmful or injurious to the public  
28 morals or safety, or the advertising of a chiropractor that he  
29 is practicing medicine, surgery or osteopathy in the State of  
30 California, for which he does not at the time of so doing hold  
31 an unrevoked certificate of license to practice such method or  
32 system issued to him by a board, which said board has been  
33 legally constituted and established by law in the State of  
34 California.

35 *Fourth*—All advertising of any means whereby the monthly  
36 periods of women can be regulated or the menses reestablished  
37 if suppressed.

1 *Fifth*—Conviction of any offense involving moral turpitude,  
2 in which case the record of such conviction shall be *prima facie*  
3 evidence.

4 *Sixth*—Habitual intemperance.

5 *Seventh*—The personation of another licensed chiropractor.

6 *Eighth*—The use, by the holder of a license issued under  
7 this act, in a sign or advertisement in connection with his  
8 practice, of any fictitious name.

9 *Ninth*—The use by a holder of a license to practice chiro-  
10 practic of any drug or what is known as medicinal preparation  
11 in or upon the body of human beings, or the puncturing or  
12 severing of the tissues of the body or bodies of human beings.

13 *Tenth*—Advertising, directly, indirectly or in substance,  
14 upon any card, sign, newspaper advertisement, or other written  
15 or printed sign or advertisement, that the holder of such certifi-  
16 cate or any other person, company or association by which he  
17 is employed, or in whose service he is, will treat, cure or  
18 attempt to treat or cure, any venereal disease, or will treat or  
19 cure, or attempt to treat or cure, any person afflicted with any  
20 venereal disease, lost manhood, sexual weakness; or being  
21 employed by, or being in the service of any person, company  
22 or association so advertising.

23 *Eleventh*—The use by the holder of a license to practice  
24 chiropractic of the letters "M.D.," or the words "doctor of  
25 medicine," or the term "surgeon," or the term "physician,"  
26 or the word "osteopath," or the letters "D.O.," or any other  
27 letters, prefixes or suffixes, the use of which would indicate  
28 that he was practicing a profession for which he held no license  
29 from the State of California.

30 *Twelfth*—The procuring of a license, as issued under this  
31 act, by fraud or misrepresentation.

32 SEC. 14. Every person holding a certificate of license  
33 authorizing him to practice chiropractic as set forth in this  
34 act shall file said certificate of license for record in the office  
35 of the county clerk of the county or counties in which the  
36 holder thereof shall practice, and the fact of such recordation  
37 shall be endorsed on said certificate by the clerk of the county

1 or counties in which said certificate of license is recorded; and  
2 any person who shall practice chiropractic in any county  
3 within the State of California without first having filed his  
4 certificate with the county clerk or clerks of the county or  
5 counties in which said person shall practice as provided herein  
6 shall be guilty of a misdemeanor and shall be punished by a  
7 fine of not more than one hundred dollars, or by imprison-  
8 ment of not more than sixty days or by both such fine and  
9 imprisonment.

10 SEC. 15. The clerk of the several counties shall keep in a  
11 book provided for the purpose a complete list of all certificates  
12 of license as provided in this act, and the dates of filing of said  
13 certificates, and said record shall be open to the public for  
14 inspection during office hours.

15 SEC. 16. Any person who shall practice, or attempt to  
16 practice, or who shall advertise or hold himself out as prac-  
17 ticing chiropractic in the State of California without having  
18 at the time of so doing a valid and unrevoked certificate as  
19 provided in this act, or who shall in any sign or advertisement  
20 use the letters "D.C.," or the words "doctor of chiropractic,"  
21 or the term "chiropractor" or any other letter or letters or  
22 word or words, indicating thereby that he is practicing, or  
23 entitled to practice chiropractic in the State of California,  
24 without having at the time of so doing a valid and unrevoked  
25 certificate of license as provided in this act, shall be guilty of  
26 a misdemeanor and upon conviction thereof shall be punished  
27 by a fine of not more than six hundred dollars or by imprison-  
28 ment in the county jail for a term of not more than one hun-  
29 dred eighty days, or by both such fine and imprisonment.  
30 Upon conviction of a person for violation of this act, the fine,  
31 when collected, shall be paid to the state treasurer and a report  
32 thereof made to the state controller.

33 SEC. 17. Nothing in this act shall be construed to prohibit  
34 service in case of emergency, or the domestic administration of  
35 chiropractic, nor shall this act apply to any chiropractor from  
36 any other state or territory who is actually consulting with a

1 licensed chiropractor in this state; *provided*, that such con-  
2 sulting chiropractor shall not open an office or appoint place to  
3 receive patients within the limits of this state; nor shall any-  
4 thing in this act be construed to prohibit or regulate healing  
5 by prayer or religious faith, nor to interfere with the practice  
6 of religion in the State of California.

7 SEC. 18. Any person of good moral character, who holds a  
8 diploma issued to him by a legally chartered school or college  
9 of chiropractic, and who shall have practiced within the State  
10 of California for a period of not less than two years preceding  
11 the date of the going into effect of this act and who shall make  
12 application to said board within sixty days after the going into  
13 effect of this act, shall be granted a license as herein provided,  
14 without examination. Any person of good moral character  
15 who shall have matriculated in any school or college of chiro-  
16 practic prior to the date of the passage and approval of this  
17 act, and who may not graduate until after the date of the  
18 going into effect of this act, upon application as set forth  
19 herein shall be given an oral, practical and clinical examina-  
20 tion. If such applicant fail to pass said oral, practical and  
21 clinical examination, and so desires, he may be reexamined  
22 without additional expense at the first subsequent meeting of  
23 the board, said reexamination or as much as possible thereof,  
24 to be in writing. Any person of good moral character, who  
25 has been actually engaged in the practice of chiropractic in the  
26 State of California for a period of not less than six years next  
27 preceding the date of the going into effect of this act, shall be  
28 entitled to, and may take an oral, practical and clinical exami-  
29 nation; *provided*, however, that he make application to the  
30 board for examination within sixty days after the date of the  
31 going into effect of this act, and in making such application  
32 shall have set forth therein and given the following informa-  
33 tion, to wit: The full name and address of the applicant,  
34 the length of time and where he has been engaged in the prac-  
35 tice of chiropractic in this state, in what manner and from  
36 whom he received his instruction and training in chiropractic,  
37 and the nature and character of any or all of the methods

1 used by said applicant in relation to the health of human  
2 beings.

3 SEC. 19. Any person who holds an unrevoked certificate to  
4 practice chiropractic, which said certificate was issued to said  
5 person by a chiropractic examining board, or by any other  
6 board or officer authorized by law to issue a license entitling  
7 the holder thereof to practice chiropractic in the District of  
8 Columbia, or in any state or territory of the United States, or  
9 with proof satisfactory to the board of chiropractic examiners  
10 of the State of California that the copy of said certificate  
11 presented to said board is a true and correct copy, shall upon  
12 the presentation of said certificate or a copy thereof, to the  
13 board of chiropractic examiners of the State of California and  
14 payment of the fee of twenty-five dollars, be entitled to and  
15 shall receive a certificate of license to practice chiropractic in  
16 the State of California without examination; *provided, however,*  
17 that the requirements of the said chiropractic examining  
18 board, or other board or officer of the state having issued said  
19 certificate were in no degree or particular less than those which  
20 were required for the issuance of a license to practice chiroprac-  
21 tics in the State of California at the time of the issuance  
22 of such certificate.

23 SEC. 20. Any or all parts of any act or acts in conflict  
24 with this act are hereby repealed.

O

SENATE BILL

No. 280

INTRODUCED BY SENATOR INMAN,

JANUARY 19, 1917.

REFERRED TO COMMITTEE ON FINANCE.

AN ACT

APPROPRIATING MONEY FOR THE CONSTRUCTION OF A PRISON SCHOOL  
BUILDING AT THE FOLSOM STATE PRISON.

*The people of the State of California do enact as follows:*

1 SECTION 1. The sum of ten thousand dollars, or so much  
2 thereof as may be necessary, is hereby appropriated out of any  
3 money in the state treasury not otherwise appropriated, to be  
4 used in accordance with law for the construction of a prison  
5 school building at the Folsom State Prison.

O